IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928

Bail Appl..No. 887 of 2007()

CRMP.365/2007 of SESSIONS COURT,KOLLAM

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: PETITIONER/ACCUSED NO.1:

SHIJU, S/O.STEPHEN FERNANDEZ,
EDAKKUNNATH HOUSE, NEENDAKARA P.O.,
KOLLAM.

BY ADV. SRI.A.RAJASIMHAN

RESPONDENT: COMPLAINANT:

SUB INSPECTOR OF POLICE,
CHAVARA POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 887 OF 2007

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DATED THIS THE 14th DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the first accused in Crime NO.71/07 of Chavara Police Station, Kollam for an offence punishable under section 498A read with section 34 IPC, seeks anticipatory bail.

2. The marriage between the petitioner and the de facto complainant Beena Bosco, who is a 26 year old Teacher, took place on 18.12.2006. She is alleged to have been ill-treated and physically and mentally tortured on 24.1.2007.

3. It is too early to accept the petitioner's contention that the allegations of the wife are false. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for bail ordered by the Magistrate. Accordingly, the petitioner shall surrender before the Investigating Officer on any day between 19.2.2007 and 21.2.2007 for the purpose of interrogation. The petitioner shall thereafter be produced on the same day before the Magistrate having jurisdiction who shall release the petitioner on bail on appropriate conditions.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn